

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

NORTH CAROLINA STATE  
CONFERENCE OF THE NAACP,  
CHAPEL HILL – CARRBORO NAACP,  
GREENSBORO NAACP, HIGH POINT  
NAACP, MOORE COUNTY NAACP,  
STOKES COUNTY BRANCH OF THE  
NAACP, WINSTON SALEM – FORSYTH  
COUNTY NAACP

*Plaintiffs,*

v.

ROY ASBERRY COOPER III, in his official  
capacity as the Governor of North Carolina;  
DAMON CIRCOSTA, in his official capacity  
as Chair of the North Carolina State Board of  
Elections; STELLA E. ANDERSON, in her  
official capacity as Secretary of the North  
Carolina State Board of Elections; DAVID C.  
BLACK, KEN RAYMOND, and  
JEFFERSON CARMON III, in their official  
capacities as members of the North Carolina  
State Board of Elections,

*Defendants,*

and

PHILIP E. BERGER, in his official  
capacity as President Pro Tempore of  
the North Carolina Senate, and  
TIMOTHY K. MOORE, in his official  
capacity as Speaker of the North  
Carolina House of Representatives,

*Proposed Intervenor.*

CASE NO. 1:18-cv-01034-LCB-LPA

**PROPOSED INTERVENORS’  
MOTION FOR A STAY PENDING  
APPEAL**

## **PROPOSED INTERVENORS' MOTION FOR A STAY PENDING APPEAL**

Pursuant to Federal Rule of Civil Procedure 62 and this Court's inherent powers, Philip E. Berger, President Pro Tempore of the North Carolina Senate, and Timothy K. Moore, Speaker of the North Carolina House of Representatives, respectfully move this Court to stay its preliminary injunction enjoining S.B. 824. Mem. Op., Order, and Preliminary Injunction, Doc. 120 (Dec. 31, 2019), pending Proposed Intervenor's appeal of the order denying their motion to intervene. The motion should be granted for the reasons stated in the accompanying brief in support.

Dated: January 10, 2020

Respectfully submitted,

/s/ Nicole J. Moss

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*Local Civil Rule 83.1 Counsel for  
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**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that, on January 10, 2020, I electronically filed the foregoing Motion for a Stay Pending Appeal with the Clerk of the Court using the CM/ECF system which will send notification of such to all counsel of record in this matter.

/s/ Nicole J. Moss  
Nicole J. Moss